REMARKS/ARGUMENTS

In view of the remarks herein, favorable reconsideration and allowance of this application are respectfully requested. Claims 1-16 are pending for further examination.

Claims 1-16 remain rejected under 35 USC 103 as allegedly being obvious over Ventrella in view of Bickmore. For at least the following reasons, Applicant respectfully submits that the combined teachings of the cited references fail to render obvious the invention as defined by the amended claims herein. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Amended independent claim 1 is directed to a method of animating a user-controlled character in a three-dimensional virtual environment, including, *inter alia*, defining a tag at a location in the virtual environment that is external to the character, and assigning tag information to the tag that designates a type of reaction for the character when in proximity to the tag. The tag is detected when the character is within a predetermined proximity to the tag, and the location of the tag and the tag information are used to dynamically modify the character's animation in real time.

Applicant respectfully submits that Ventrella does not disclose a tag limitation as recited in amended independent claim 1. Rather, as suggested in the Office Action, Ventrella seems to suggest having avatars react to certain stimuli in relation to a set of user-programmed "genes." The genes of Ventrella are associated with an avatar, not locations in a virtual environment that are external to the avatar, as recognized by the pending claims. External tags enable characters to appear much more realistic, by giving

- 6 -

the character a personality and appearing to bring the character to life in its virtual environment, without having to script or animate each scene in advance. Thus, Applicant respectfully submits that Ventrella does not disclose the use of tags as defined in the pending claims.

Applicant also respectfully submits that Bickmore does not make up for the deficiencies of Ventrella. Ventrella clearly is directed to a player character existing in a three-dimensional virtual world. Bickmore, however, is directed to creating an avatar that would exist in a *document* to convey information. While the avatar might appear three-dimensional because of certain textures or rendering techniques, Applicant respectfully submits that the avatar of Bickmore exists as attached to a flat, two-dimensional document (i.e. docked at the side of an HTML document or over an "avatar link"). Applicant respectfully submits that one of ordinary skill in the art would not look to a method for conveying pre-recorded information in a static, flat document when trying to build an avatar to exist in, and respond to, a dynamic, three-dimensional virtual world. Applicant respectfully submits that such a combination could only be the result of impermissible hindsight.

Applicant respectfully submits that even if one of ordinary skill in the art looked to Bickmore, one of ordinary skill in the art would find the teachings of Ventrella and Bickmore inapposite. Ventrella teaches having a player character in a virtual world react dynamically based on pre-defined characteristics (genes). Bickmore, on the other hand, teaches having an avatar react in response to a calculated, purposeful action. As

980337

suggested in Bickmore, a purposeful action might include a user moving a mouse over certain pre-defined text. Thus, the teachings and suggestions of Bickmore involve calculated movements by the user that are not reconcilable with the purported spontaneity of Ventrella, and, especially, with the dynamic virtual world of the claimed invention.

Moreover, the avatars in Ventrella and Bickmore serve fundamentally different purposes. Ventrella teaches navigating through a virtual world via an avatar. Bickmore, however, teaches navigating through a document space using a separate input device. Unlike the avatar in Ventrella that visually represents user input, the avatar in Bickmore only responds to certain pre-defined events (such as a user clicking on a certain link). Thus, the objects of the avatars in Ventrella and Bickmore are fundamentally different – the avatar of Ventrealla is *the* manifestation of user input that changes according to pre-defined stimuli, while the avatar of Bickmore is merely a means for conveying certain pre-defined information allegedly stored in tags in response to a pre-defined user action. Thus, because the objects of the respective avatars differ so greatly, Applicant again respectfully submits that one of ordinary skill in the art would not combine the teachings of Ventrella and Bickmore.

For at least the above reasons, Applicant believes that the claimed invention is not obvious in view of the cited prior art. Thus, reconsideration and withdrawal of the rejection of claim 1 are respectfully requested.

980337

Applicant also submits that amended independent claims 7 and 12 are not rendered obvious by the cited references for substantially the same reasons set forth above with respect to claim 1.

In view of the foregoing remarks, Applicant believes that all of the pending claims clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, withdrawal of the rejection and passage of this case to issuance at an early date are earnestly solicited.

Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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